

REMARKS

By this Amendment, claims 21-30 are added to more fully claim the disclosed invention and are patentable over the cited prior art for reasons similar to those presented herein. Claims 1, 6, 18, 10 and 14-20 are amended to merely clarify the recited subject matter. Claims 1-30 are pending. Reconsideration in view of the above amendments and following remarks is respectfully requested.

The Office Action has maintained the rejection of claims 1-16 and 19-20 as being anticipated by Kudoh et al. (U.S. 5,414,702; hereafter "Kudoh") and rejected claims 17-18 as being unpatentable over Kudoh in view of Duault et al (U.S. 5,930,265; hereafter "Duault"). Applicant respectfully traverses these rejections because the cited prior art fails to disclose, teach or suggest all the features recited in the claimed invention.

For example, Kudoh, analyzed individually or in combination with Duault, fails to disclose, teach or suggest the claimed data segmentation methods (independent claims 1, 6, 8 and 15), telecommunication system (independent claims 10, 14 and 16), mobile station (independent claims 17 and 18) and network element (independent claims 19 and 20 wherein each lower layer protocol data unit that contains two or more data segments *from two or more different higher layer data units* is provided with segmentation length information which otherwise indicates length of the data segments and, in each lower layer protocol data *that contains two or more data segments from two or more different higher layer data units*, predetermined values of the segmentation length information are used to indicate special information about the higher layer data units, instead of the length of the segments.

Although the Advisory Action admitted that Fig. 3 of Kudoh merely teaches "one CS-PDU unit that is segmented into a plurality of SAR-PDU data units," the Advisory Action has asserted that the claimed "lower layer protocol data units containing two or more data segments" is met by Kudoh's lower layer protocol SAR-PDU (including SARH, SAR-PDU payload segment, and SART) by containing a plurality of data segments called SAR-PDU payload segments. However, Kudoh fails to teach or suggest the indication of special information using predetermined values of segmentation length information for lower layer protocol data units containing two or more data segments from two or more different higher layer data units.

In response to Applicant's previously asserted arguments for patentability over Kudoh, the Office asserted that column 3, lines 50-67 of Kudoh teaches an indication of special information about higher level protocol data units using predetermined values of

segmentation length information. However, the length information LI indicates the length of SAR-PDU except for padding. Thus, the length information LI merely indicates the effective length of the data field in the SAR-PDU.

To the contrary, in the claimed invention, segmentation length information is used, in the lower layer protocol data units containing two or more data segments from two or more different higher layer data units, to indicate information about higher level protocol data units instead of the length of the segments or the effective length of the data field.

Thus, the combined teachings of Kudoh and Duault fail to disclose, teach or suggest all the features of the claimed invention. Accordingly, claims 1-20 (and new claims 21-30) are patentable over the teachings of Kudoh, analyzed individually or in combination with Duault, and claims 1-30 are allowable.

All rejections and objections having been addressed, it is respectfully submitted that the present application is now in condition for allowance, and a notice to that effect is earnestly solicited. Should there be any questions or concerns regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

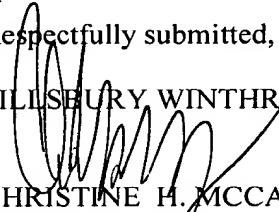
In view of the above remarks, it is respectfully submitted that all of the claims are allowable and that the entire application is in condition for allowance.

Should the Examiner believe that anything further is desirable to place the application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

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